

EAC

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

ANGELICA YONAYEV,

Defendant.

INFORMATION

07 Cr.

07 CRIM. 480

COUNT ONE

The United States Attorney charges:

1. From at least in or about September 2005, up to and including in or about February 2007, in the Southern District of New York and elsewhere, ANGELICA YONAYEV, the defendant, together with others known and unknown, unlawfully, wilfully, and knowingly, combined, conspired, confederated, and agreed together and with each other to violate the laws of the United States, to wit, to violate Sections 1546(a) and 1001 of Title 18, United States Code.

2. It was a part and an object of the conspiracy that ANGELICA YONAYEV, the defendant, together with others known and unknown, unlawfully, willfully, and knowingly, did make under oath, and as permitted under penalty of perjury under section 1746 of title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact in an application, affidavit, and other document required by the immigration laws and regulations prescribed thereunder, and

JUDGE CHIN

knowingly presented such application, affidavit, and other document which contained such false statement and which failed to contain any reasonable basis in law and fact, in violation of Title 18, United States Code, Section 1546(a).

3. It was a further part and an object of the conspiracy that ANGELICA YONAYEV, the defendant, together with others known and unknown, in a matter within the jurisdiction of the Executive Branch of the Government of the United States, unlawfully, wilfully, and knowingly, would and did falsify, conceal, and cover up by trick, scheme and device a material fact, and would and did make a materially false, fictitious and fraudulent statement and representation, and would and did make and use a false writing and document knowing the same to contain a materially false, fictitious, and fraudulent statement and entry, in violation of Title 18, United States Code, Section 1001.

**OVERT ACTS**

4. In furtherance of the conspiracy, and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

- a. During January 2006, ANGELICA YONAYEV, the defendant, prepared a false United States Corporation Income Tax Return ("Tax Return"), imprinted on it a fraudulent ink-stamp that purported to have been imprinted by the Internal Revenue Service, and conveyed the Tax Return to an

individual ("I-1") associated with a Manhattan law firm ("Law Firm").

- b. During April or May of 2006, ANGELICA YONAYEV, the defendant, prepared a letter that falsely described the prior work experience of a particular non-United States citizen residing in the United States, and caused the false letter to be conveyed to I-1.

**YONAYEV'S ROLE IN THE CONSPIRACY**

5. From at least in or about September 2005, up to and including in or about February 2007, in the Southern District of New York and elsewhere, ANGELICA YONAYEV, the defendant, in connection with numerous applications by non-United States citizens residing in the United States ("Aliens") to obtain a change in their immigration status ("Alien Applications"), prepared various fraudulent documents (including false tax returns, and letters that falsely described the Aliens' prior work experience), and conveyed these documents to an agent of the Law Firm, with the understanding that these fraudulent documents would then to be conveyed to Executive Branch officials responsible for participating in the process by which Alien Applications are reviewed and evaluated.

(Title 18, United States Code, Section 371.)

**COUNT TWO**

The United States Attorney further charges:

6. From at least in or about September 2005, up to and including in or about February 2007, in the Southern District of New York and elsewhere, ANGELICA YONAYEV, the defendant, unlawfully, wilfully, and knowingly, did make under oath, and as permitted under penalty of perjury under section 1746 of title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact in an application, affidavit, and other document required by the immigration laws and regulations prescribed thereunder, and knowingly presented such application, affidavit, and other document which contained such false statement and which failed to contain any reasonable basis in law and fact.

(Title 18, United States Code, Sections 1546(a) and 2.)

**COUNT THREE**

The United States Attorney further charges:

7. From at least in or about September 2002, up to and including in or about May 2006, ANGELICA YONAYEV, the defendant, unlawfully, wilfully, and knowingly, executed, and attempted to execute, a scheme and artifice to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, three financial institutions, by means of false and fraudulent pretenses,

representations and promises, to wit, YONAYEV caused to be submitted false financial information on mortgage loan and home-equity loan applications to three banks, and thereby obtained the loans that were the subject of those applications.

**OVERT ACT**

8. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt act, among others, was committed:

- a. During in or about May 2006, ANGELICA YONAYEV, the defendant, caused to be submitted false financial information to a bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation, in order to procure a mortgage with respect to a Miami, Florida property.

(Title 18, United States Code, Section 1344.)

**FORFEITURE ALLEGATION**

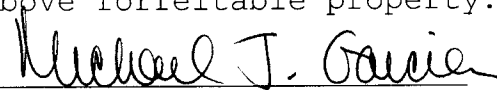
9. As a result of committing one or more of the offenses alleged in Count One, Count Two, and Count Three of this Information, ANGELICA YONAYEV, the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, any and all property, real and personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offenses, and all property traceable to such property.

**SUBSTITUTE ASSETS PROVISION**

10. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

  
MICHAEL J. GARCIA  
United States Attorney